IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.16 OF 2005

IN

NOTICE NO.N/407 OF 2004

Rita Kishore Hassija ..Judgment Debtor.

Ex-parte:

Dwarka Hundaldas Sainani ..Judgment Creditor.

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Ms.Parvathi Koushik for the Judgment Debtor in support of the Motion.

Ms.Laxmi i/b Ms.R.C.Shukla for the Judgment Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

15th March, 2005.

P.C. :

Delay of one day is condoned.

The Insolvency Notice is based on a decree on admission in the sum of Rs.50,000/- passed by

the City Civil Court on 16th December, 2002 in Summary Suit No.5348 of 2001. Counsel appearing on behalf of the Applicant, the Judgment Debtor states that the decretal amount shall be paid in full on or before 15th August, 2005. In the circumstances, this Notice of Motion is disposed of by directing that the Motion will stand absolute in terms of prayer Clause (b), in the event that the entire amount is paid as stated hereinabove. However, the Motion shall stand dismissed in the event that there is any default in which event counsel for the Judgment Creditor shall forthwith inform the Insolvency Registrar.